



On the one hand, Team Biden has reacted quickly and with strength to Russia's mobilization of up to 100,000 troops, well-equipped with tanks, armored vehicles and artillery, within striking distance of **Ukraine and Belarus' border**. Washington issued private and then public warnings to Moscow and reassurances to Kiev that it will work with European partners to impose punishing sanctions if the Kremlin substantially **escalates its aggression** — and even send more military assistance, including lethal weapons to help Ukrainians withstand the offensive.

Ad removed. [Details](#)

On the other hand, the administration has doubled down on its feckless May decision to waive the most powerful congressional sanctions **on Nord Stream 2**, the pipeline to bring gas from Russia to Germany under the Baltic and North seas. This project would enable the Kremlin to stop sending that gas via Ukrainian pipelines and facilitate its use of energy as a weapon to punish Eastern European nations.

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Russian President Vladimir Putin could wield more political power with the Nord Stream 2 gas pipeline as oil prices surge in Europe.

Mikhail Metzel, Sputnik, Kremlin Pool Photo via AP

It's an enormous geopolitical gift to a hostile Kremlin. While proclaiming pro forma opposition to Nord Stream 2, Team Biden has tried to justify this decision as a gesture to improve relations with Germany — but also used it to gain credit in Moscow by announcing it the day Secretary of State **Antony Blinken met with** Foreign Minister Sergey Lavrov.

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Last week, while Moscow was assembling its **invasion-threatening force** on Ukraine's border, Blinken and energy envoy Amos Hochstein were on Capitol Hill lobbying the Senate to remove a House-attached amendment to the National Defense Appropriations Act that would impose sanctions on Nord Stream 2 without presidential waiver authority.

The addition couldn't have come as a surprise because Nord Stream 2 opposition is strong on both sides of the aisle. But Team Biden is hoping party loyalty will trump US national-security interests and Senate Democrats will substitute a weak "reporting requirement" for the tough sanctions amendment. It is not clear if Senate Democrats will go along. The waiver is not just a foreign-policy disaster, it's a political liability. To publicly kill the House amendment at the behest of an administration with low approval ratings is not an easy move.



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Migrants beg for warm clothes at a checkpoint at the Belarus-Poland border near Grodno, Belarus on Nov. 28, 2021.

Leonid Shcheglov/BelTA via AP

Democrats are in this unenviable position because Berlin has proven an uncooperative partner. The Biden administration has been signaling its willingness to accommodate **Germany on Nord Stream 2** since January — when construction on the project, stalled by 2019 and 2020 congressional sanctions, resumed.

Months of talks, and the most the White House achieved was a **very weak July joint statement** saying “Germany will take action at the national level and press for effective measures at the European level, including sanctions, to limit Russia’s export capabilities to Europe” to “ensure that Russia will not misuse any pipeline, including Nord Stream 2, to achieve aggressive political ends by using energy as a weapon.”

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Since that statement was issued, Moscow began to do the inevitable: use gas as a political weapon.

As Europe's **gas supply tightened** and prices spiraled up in late summer, the Kremlin chose not to sell more gas at higher prices, its usual practice. Instead, Putin helpfully suggested that more gas will flow once Nord Stream 2 is fully operational. Then in talks on renewing its gas contract with Moldova, Moscow tried to impose political conditions such as restricting the country's cooperation with the European Union.

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The Nord Stream 2 gas pipeline would allow Russia to stop using Ukrainian pipelines — giving the Kremlin more incentive to invade Ukraine.

REUTERS/Maxim Shemetov/File

And what was Germany's reaction to Moscow's mischief? Chancellor Angela Merkel saw no evil. Russia is not responsible for Europe's **higher gas prices** was all she could muster. German officials who came to Washington last week to lobby Senate staff brought a non-paper with the same beside-the-point assertion. They offered nothing stronger than a repetition of the feeble July statement on what they would do "if" Moscow plays politics with gas.

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following the May sanctions waiver, that America could reimpose the sanctions if Moscow does, in fact, weaponize gas.

At the end of the day, Germany believes it holds an ace because allies do not sanction allies. This ignores that the company benefiting from the president's sanctions waiver, Nord Stream 2 AG, is Swiss. More important, it ignores that the greatest danger to US and trans-Atlantic interests Nord Stream 2 poses is that the project will enhance the Kremlin's already considerable malign influence in Germany.

Why in the world would Senate Democrats, who always spoke of the **Moscow menace when Donald Trump** held the White House, cave to an administration careening toward another foreign-policy cliff?

John Herbst is director of the Atlantic Council's Eurasia Center and a former US ambassador to Ukraine.

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UkraineAlert December 1, 2021

Not the time for Nord Stream 2 nonsense

By John E. Herbst



For connoisseurs of parliamentary procedures, a fascinating game is currently underway behind closed Senate doors. Since this gamesmanship will have a major impact on US national interests, we think it is worth sharing.

The issue in question is Nord Stream 2, a gas pipeline project from Russia to Germany that stretches under the Baltic and North Seas. If made operational, this pipeline would **enable the Kremlin** to use gas for political purposes by withholding it from countries in east Europe that pursue policies it does not like, and make it easier for Moscow to expand its current war of aggression in Ukraine.

As a gesture to German Chancellor Angela Merkel and a gift to Russian President Vladimir Putin, President Joe Biden waived Congressional sanctions on Nordstream AG and its chairman last May that would have stopped the project in its tracks; in exchange for this enormous concession, the administration received only a vague commitment from Germany to take action against Russia if it used gas for political purposes. Inevitably, Moscow began to do just that this summer — without a contrary word from Berlin, and not much more from Washington.

The administration's decision was not popular in Congress, as both Democrats and Republicans have long understood that Kremlin energy (and other) policies pose a major threat to US interests in Europe and especially in Ukraine. As a result, the House of Representatives added an amendment to the National Defense Authorization Act that would sanction Nord Stream 2 without presidential waiver authority, which would have made the sanctions bullet-proof. For the administration, this placed a premium on killing the amendment in the Senate, and Secretary Blinken spent lots of time last week lobbying Senate Democrats to do just that.

For some Democrats this poses a dilemma as they recognize that the administration's Nord Stream 2 waiver was a disaster, and not easy to defend publicly, which brings us to what's happening now on Capitol Hill. Senate Democrats recognize that they must vote in some form for sanctions. So they are proposing the Menendez Amendment to the National Defense Appropriations Act that would impose sanctions on Nord Stream 2 only if President Biden certifies that Moscow launched a major invasion of Ukraine and took down the government in Kyiv. But the Menendez Amendment does more than that. It also proposes other severe sanctions on Moscow if it launches a major escalation in Ukraine. That

is a good thing in Washington's efforts to deter that escalation, and consistent with Senator Menendez's long record of support for a strong policy against Kremlin revisionism.

The inclusion in the Menendez Amendment of new conditions for Nord Stream 2 actually weakens the administration's already weak policy, which brings us to the nub of the matter. As the Democrats have introduced this amendment, the Republicans have introduced the Risch Amendment, which would immediately impose sanctions on Nord Stream 2 and make the lifting of sanctions subject to Congressional approval. (This mirrors language that Democrats introduced and Republicans supported during the Trump Administration). If the Democrats vote against the Risch Amendment by claiming that the Menendez Amendment covers Nord Stream 2, they will have pulled off a clever trick of blocking a wise, tough policy by placing their major retreat in a strong sounding bill. And all this will be taking place with massive Russian forces on Ukraine's border, Russian political games with gas, and Germany doing nothing.

Any political tactician will admire the artistry of this parliamentary play, and every shrewd tactician will see right through it.

John E. Herbst is the senior director of the Eurasia Center at the Atlantic Council and a former US ambassador to Ukraine.

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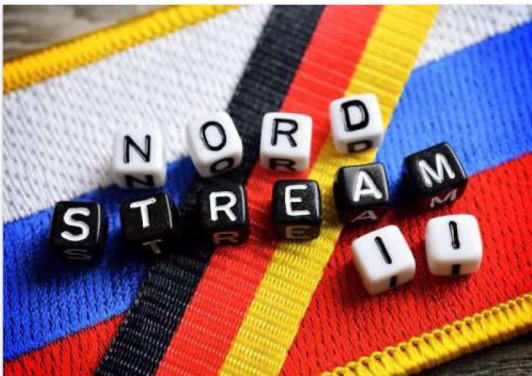
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Germany's Greens vow to block Putin's pipeline

UkraineAlert By Diane Francis

Germany's Greens have confirmed plans to block Russia's Nord Stream 2 pipeline if, as expected, they form part of the new German coalition government following Bundestag elections in September 2021.

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Image: Pipes for the Nord Stream 2 pipeline are loaded onto a ship at Mukran port on June 1. (Stefan Sauer/dpa via REUTERS)

Ted Cruz is willing to lift holds on top Biden nominees if a Nord Stream 2 amendment gets a vote. He's been **blocking confirmations** for months.

It's not yet clear whether the Senate can vote on amendments Wednesday.



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Here's the situation: Sen. Ted Cruz (R-Texas) will lift his holds on a handful of President Joe Biden's diplomatic and foreign-policy nominees if an amendment to sanction the Nord Stream 2 pipeline gets a vote today — and he'll lift even more if it passes, according to a senior GOP aide.

It's the latest example of Cruz playing hardball with the Biden administration over its controversial decision to waive sanctions on the Russia-to-Germany natural gas pipeline, and trying to force the State Department to reverse course. Cruz's slow-walking of the national-security nominees has been a thorn in the administration's side for months, and it's a big reason why the Senate has confirmed Biden's nominees at a glacial pace compared to previous administrations.

"Sen. Cruz's holds are meant to ensure that the Biden administration applies immediate, mandated sanctions to Nord Stream 2. He's lifted holds throughout the year for that progress, including and especially amendment votes. For the NDAA, Sen. Cruz has negotiated to lift more holds in exchange for advancing immediate sanctions."

— Dave Vasquez, Cruz's press secretary.

The backstory: Cruz's slow-walking dozens of foreign-policy nominees, including ambassadors as well as senior State Department officials, has been a huge headache for Senate Majority Leader Chuck Schumer. He has to use valuable floor time to confirm nominees who traditionally would be approved by the chamber without controversy.

A note of caution: It's not clear yet whether the Nord Stream 2 amendment will ultimately get a floor vote as part of the NDAA process — much less clear the 60-vote threshold. Republicans could still object to the proposed list of 21 amendments to the annual defense bill; but if there's unanimous agreement on the slate of amendments, the chamber could begin voting as soon as Wednesday afternoon.

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